

Florence, New Jersey 08518-2323  
July 17, 2006

The regular meeting of the Florence Township Planning Board was held on the above date at the Municipal Complex, 711 Broad Street, Florence, NJ. Chairperson Hamilton-Wood called the meeting to order at 7:31 P.M. followed by a salute to the flag.

Chairperson Hamilton-Wood then read the following statement: "I would like to announce that this meeting is being held in accordance with the provisions of the Open Public Meetings Act. Adequate notice has been provided to the official newspapers and posted in the main hall of the Municipal Complex.

Upon roll call the following members were found to be present:

Councilman John Fratinardo  
Mayor Michael J. Muchowski  
Thomas Napolitan  
Dennis A. O'Hara  
John T. Smith

Phillip F. Stockhaus III  
Mildred Hamilton-Wood  
Gene DeAngelis  
Sean Ryan

ABSENT: None

ALSO PRESENT: Solicitor David Frank (substitute for Solicitor Abbott)  
James McKelvie (substitute for Engineer Morris)  
Planner Carl Hintz

## RESOLUTIONS

### **Resolution PB-2006-30**

**Continuing the application of Cream-O-Land, Inc. for amended Preliminary and Final Major Site plan approval for Block 155.47, Lots 12.02 and 12.03 located in a GM General Manufacturing District.**

Motion of Fratinardo, seconded by DeAngelis to approve Resolution PB-2006-30.

Upon roll call the Board voted as follows:

YEAS: Fratinardo, Muchowski, Napolitan, O'Hara, Smith, Hamilton-Wood,  
DeAngelis  
NOES: None  
ABSENT: None

### **Resolution PB-2006-31**

**Granting Final Major Site plan approval to TSMC, LLC, for construction of a retail center on Block 166.12, Lot 2, located in an HC Highway Commerical District.**

124.

Motion of Fratinardo, seconded by DeAngelis to approve PB-2006-31.

Upon roll call the Board voted as follows:

YEAS: Fratinardo, Muchowski, Napolitan, Smith, Hamilton-Wood  
DeAngelis  
NOES: None  
ABSENT: None  
INELIGIBLE: O'Hara

**Resolution PB-2006-32**  
**Granting Final Major Subdivision approval to Orleans Homebuilders, Inc.**  
**("Bustleton Estates South") for Block 170, Lot 1.01, located in an AGR Agricultural**  
**District.**

Motion of Fratinardo, seconded by Napolitan to approve resolution PB-2006-32.

Upon roll call the Board voted as follows:

YEAS: Fratinardo, Muchowski, Napolitan, O'Hara, Smith, Hamilton-Wood  
DeAngelis  
NOES: None  
ABSENT: None

**Resolution PB-2006-33**  
**Continuing the application of Fine Foods and Spirits, Inc. for amended Preliminary**  
**and Final Major Site plan approval for a restaurant on Block 165.01, Lot 11.02,**  
**located in an HC Highway Commercial District.**

Motion of Fratinardo, seconded by O'Hara to approve resolution PB-2006-33.

YEAS: Fratinardo, Muchowski, Napolitan, O'Hara, Smith, Hamilton-Wood  
DeAngelis  
NOES: None  
ABSENT: None

**Resolution PB-2006-34**  
**Granting a one year mandatory extension of Final Major Subdivision approval**  
**pursuant to N.J.S.A. 40:55D-52(d) to Quaker Group Burlington II (Crossroads) for**  
**Block 165.01, Lot 2.01, located in an R Low Density Residential District.**

Motion of Fratinardo, seconded by DeAngelis to approve resolution PB-2006-34.

YEAS: Fratinardo, Muchowski, Napolitan, O'Hara, Smith, Hamilton-Wood,  
DeAngelis

125.

NOES: None  
ABSENT: None

**Resolution PB-2006-35**

**Continuing the application of Quaker Group Burlington II (Crossroads) for a one year discretionary extension of Final Major Subdivision approval, pursuant to N.J.S.A. 40-55D-52(a), for Block 165.01, Lot 2.01, located in an R. Low Density Residential District.**

Motion of Fratinardo, seconded by Stockhaus to approve resolution PB-2006-35.

Upon roll call the Board voted as follows:

YEAS: Fratinardo, Muchowski, Napolitan, Smith, Hamilton-Wood  
DeAngelis  
NOES: None  
ABSENT: None

**MINUTES**

Motion of Stockhaus, seconded by O'Hara to approve the Minutes of the regular meeting of June 19, 2006 as submitted. Motion unanimously approved by all members present.

**CORRESPONDENCE**

Motion of O'Hara, seconded by Stockhaus to receive and file correspondence A through N. Motion unanimously approved by all members present.

Mayor Muchowski asked the Board if before they move onto the Informal Review would they consider application A. under old business. The applicant's attorney had a family commitment that he was hoping to be able to meet. Chairperson Hamilton-Wood stated that if no one objected to this the Board would move ahead on the agenda.

Chairperson Hamilton-Wood called for application PB#2006-15 for Quaker Group Burlington II (Crossroads). Applicant is requesting an extension for Final Major Subdivision approval for property located on Florence Columbus Road, Block 165.01, Lot 2.01.

Thomas Smith, attorney for the applicant stated that this was a continued application from last month where they were discussing the discretionary one year extension for Phase 1 and Phase 2 of Crossroads. He said that they had requested a continuance so that they could meet with the Board's Professional staff to discuss the possibility of an agreement regarding the COAH requirement for the Township. The meeting was held with Solicitor Abbott, Richard Brook, Township Administrator, and a representative of the Board's Planners office. In addition to the contribution that they had agreed to pursuant to their agreement with the Township that was entered into in September 2005,

they also offered to contribute an additional \$75,000.00 to the Township in the form of a COAH Developer's fee and they are requesting that the Board approve the one-year discretionary extension at this time.

Attorney Smith stated that the applicant had submitted their final plats and the financial guarantees and escrows. Mayor Muchowski stated that he had reviewed the discussions that took place and he is comfortable with the offer that was made by the applicant regarding the outstanding COAH issues. He stated that he was comfortable in supporting the application.

Chairperson Hamilton-Wood stated that it was her understanding the 2 checks had been submitted to the Township on this date representing this contribution.

Attorney Smith said that under the agreement that they entered into last fall, at the signing of the Final Plat for Crossroads and Crossroads East they were to deliver checks in the amount of \$81,250 for each community. In addition they will be paying a Developer's fee for each unit of 1% of the equalized assessed value plus the \$75,000.00 contribution. The \$75,000.00 would be submitted at the issuance of the first certificate of occupancy for one of the homes in Crossroads.

Attorney Smith stated that the extension would extend the approval to June of 2007 for Phase 1 and August 2007 for Phase 2. Attorney Smith stated that they do not anticipate that this time line will be necessary. They expect to have this completed within a couple of months.

Motion of O'Hara, seconded by DeAngelis to grant the extension with the conditions previously stated.

Upon roll call the Board voted as follows:

YEAS:	Fratinardo, Muchowski, Napolitan, O'Hara, Smith, Stockhaus Hamilton-Wood
NOES:	None
ABSENT:	None

Chairperson Hamilton-Wood said she would like to thank the applicant for their work in getting a resolution for this issue. Attorney Smith thanked the Board for its work and with its indulgence in letting them appear first.

Chairperson Hamilton-Wood stated that the Board would return to the regular order of business on the agenda.

#### INFORMAL REVIEW

Chairperson Hamilton-Wood called for the Informal Review of possible improvements for Jesryal, Inc., located at 2092 Route 130 North and Cathy Lane. She called for the

owner Robert Dunlop. Mr. Dan Fisher, stated that Mr. Dunlop was not available to attend the meeting. Mr. Fisher stated that he worked at the building and would be filling in.

Mayor Muchowski asked Mr. Fisher what his affiliation with Jesryal, Inc. was. Mr. Fisher stated that he is an employee of the company that occupies the building. Mr. Dunlop was not able to attend and asked Mr. Fisher to stand in. Chairperson Hamilton-Wood stated that typically an Informal Presentation is given by the applicant themselves or an attorney representing the applicant. She stated that she thought this was required under the code. Solicitor Frank stated that for an application an attorney would be required to represent a corporation, but this was an Informal.

Solicitor Frank asked Mr. Fisher what his position with the firm was. Mr. Fisher stated that he was an estimator at Exterior Erecting Services. Their office is in the building next door. He said that this application is about an addition to their shop and he is very knowledgeable about this.

Mayor Muchowski said that there should be some protocol as to who comes in to represent a corporation for an Informal Review. He said that it should be the owner or designated counsel. Chairperson Hamilton-Wood stated that Mr. Fisher is an employee. He is here and giving the Board some indication as to what is going on. She stated that it was up to the Board as to whether they would hear this or pass on it until the owner was available. Mr. Fisher stated that the owner was supposed to be at the meeting, but he was stuck in an airport in Memphis, TN. Mayor Muchowski stated that in the future it should be the owner or designated counsel.

Mayor Muchowski said that he was not comfortable with the Board giving feedback. Mr. Fisher stated that he understood and would come back next month. Chairperson Hamilton-Wood stated that this would be very difficult because the August agenda was very heavy. She stated that Mr. Fisher could present an overview.

Mr. Fisher stated that they were interested in putting an addition on their shop.

Member O'Hara asked Mr. Fisher to pinpoint existing conditions of the site on drawing S1. Mr. Fisher stated that to the right of the existing building there are concrete pads. Equipment is currently stored on the pads. They would like to add the to the building. This would be totally attached to the existing building.

Mayor Muchowski stated that this is a double frontage because it is on a corner. The setback from both streets would have to be 75'. Mayor Muchowski said that they are asking to extend a non-conforming use. This is difficult to prove because there is available land on the other side. Mr. Fisher said that the proposed addition would be on top of an existing concrete pad. Member O'Hara stated that to the rear of the building is a large existing concrete pad. Would they consider putting the addition back there? Mr. Fisher stated that this doesn't work very well.

Mr. Fisher presented some photos of the site. Mr. Fisher stated that this was a construction company. They have a hoist and some other machines that are stored on the concrete pad that they would like to stay under cover instead of being out in the weather.

Mayor Muchowski said that he did not think that any member of the Board was against what was being proposed – improving the site. He said they needed to re-look at what they want. They need to determine what they are asking for. Chairperson Hamilton-Wood stated that they needed to get the plan in order and show the proper setbacks.

Member O'Hara referenced a photo showing the existing 2 bay building. He asked if the addition would line up with the existing building. Mr. Fisher stated that it would line up.

Member O'Hara said that he thought the Mayor had summed up the position that the Board would probably take. He told Mr. Fisher that they would need an attorney.

Chairperson Hamilton-Wood stated that it appears that this would be something that the Board could work with and they would entertain a more formal application. Mayor Muchowski stated that Mr. Fisher could call into the Township and speak to the Zoning Officer or the Township Administrator to get a better understanding to the requirements of the zone.

Chairperson Hamilton-Wood stated that they would need drainage and elevations. Mayor Muchowski stated that parking requirements must be met. Mayor Muchowski stated that there are a series of events that have to be gone through before a building permit would be issued. He suggested that Mr. Fisher call Richard Brook or Tom Sahol and request a meeting with his employer to sit down with them and they will go over the series of requirements that must be fulfilled in order to expand the site.

Mr. Fisher thanked the Board for hearing his presentation.

Chairperson Hamilton-Wood called for the informal presentation for Harold M. Boston for a proposed office complex on Railroad Avenue in Florence.

Jonas Singer, attorney for the applicant, stated that this was an informal presentation for property on Railroad Avenue that had formerly been zoned Residential and now was zoned Special Manufacturing. They are proposing an office building, which is a permitted use within the zone. They have had some meetings with the Board's Professional Staff and revised the plan after the meeting.

The building is now approximately 27,124 square feet. 136 parking spaces are required, 120 are proposed of which 19 are phantom spaces. The proposed side yards are 20'. The rear yard is 11' where 50' is required. The front yard is 25' where 75' is required. The building has been moved forward. The retention area has been placed in the back left corner.

Mayor Muchowski said that an office is a permitted use in the SM zone. The SM zoning requirements have 50' side yard setbacks, whereas under the Office Park zone the requirement is a 20' setback. The applicant had looked at the Office Park zoning requirements when designing the site. Variances would still be required, but with effective buffers and effective circulation on the site this plan could be made workable.

Attorney Singer stated that they believe that they have come a long way from where they started. They would like to get some of the Board's input so they can fully engineer the project and come back with a formal application. Member O'Hara questioned the height of the building. Attorney Singer stated that this would be a 2-story building and will not exceed the height requirement of the zone.

Mayor Muchowski stated that because of the layout of Railroad Avenue they were not overly concerned with the building being pushed up a little bit. The building will act as a façade. It is not unusual to see parking in front of these types of buildings. Mayor Muchowski stated that he wasn't as concerned with the back of the site because this backs up to the Ready Pac parcel.

Attorney Singer stated that the ordinance requires 3 loading spaces and they are providing 2. The applicant feels that 2 spaces is more than sufficient. Mayor Muchowski asked Planner Hintz his opinion on the parking that is proposed in regards to office use. Planner Hintz stated that if medical uses were brought in it would generate a much higher parking count. He said that if there were a formal application the Board would have to limit the amount of square footage that could be utilized for medical uses. Attorney Singer stated that the applicant would have to provide what the maximum percentage would be for medical uses.

Planner Hintz stated that he did not see a problem with only the 2 loading docks.

Member Smith asked if the 20' distance between the opposite sides of the parking would be sufficient for backing out of the spaces. Member Smith stated that he is unhappy with the 9' x 18' parking spaces. Attorney Singer stated that the 10' x 20' parking spot is good for a shopping center use, but he doesn't think it is necessary in this case. Member Smith stated that with in a 9' wide parking space you can't turn without backing almost all the way out of the space. Attorney Singer stated that they would try to increase the width of the drive aisle.

Planner Hintz stated that he is concerned in the area where there is a one-way system where there is perpendicular parking on one side and diagonal parking on the other side.

Member Napolitan stated that in his opinion if this were to be a medical use you would want to have the wider parking spaces. Attorney Singer stated that he didn't think it was the width of the spaces as much as the aisle width.

Chairperson Hamilton-Wood said the Board is not opposed to this type of building on this type of lot. Refinements would have to be made to the plan. The Board would want

the traffic to flow smoothly. The parking would have to be adequate and convenient. Chairperson Hamilton-Wood stated that she was in favor of utilizing the Office Park Standards but would like to see enhanced buffering. There are residential properties on each side of this.

Attorney Singer stated that there would be one building with a center atrium. Planner Hintz stated that on the plan the building is 30'.

Attorney Singer stated that they would go back and retool the plan and come back with a formal application.

Mayor Muchowski stated that Fire Official Kevin Mullen was present at the meeting. Mayor Muchowski asked if the turning radius was sufficient for emergency vehicles.

Mayor Muchowski stated that this site would not be sufficient for tractor-trailer circulation. The applicant would like language added to address the permitted time for move in and move outs

Planner Hintz stated that having the diagonal and perpendicular parking together in the same aisle is a problem. He made some suggestions on how to improve the parking issue. Member O'Hara stated that the parking and maneuverability of the site is critical. If the site flows better with fewer parking spaces this would be acceptable.

Chairperson Hamilton-Wood called for application PB#2006-06 for Frank Scamporino. Applicant is requesting Minor Subdivision and Preliminary and Final Major Site plan approval to construct a 15,500 square foot retail center and a 2,000 square foot financial institution on property located at Route 130 and Harkins Drive, Block 159, Lot 5.02.

Robert Sexton, attorney for the applicant, stated that they had appeared before the Board several months ago. What is before the Board tonight is a completely new application. The applicant had a meeting with the Board's professional staff and subsequently redesigned the entire project. Attorney Sexton said that he knew the application was to be heard for completeness, but he asked the Board if they would consider taking testimony on the Preliminary approval. Chairperson Hamilton-Wood stated that she believed that the Board would consider Preliminary if they were able to get through completeness.

Solicitor Frank stated that the applicant had noticed for this hearing so the Board has jurisdiction should they decide to proceed. Also the applicant's expert Mr. Rauch was sworn at the previous hearing, but was not presented as an expert at that time. He would have to be qualified as an expert by the Board.

Planner Hintz said that all the items on his report were satisfied or partly satisfied with the exception of the application of the NJDEP for a Freshwater Wetlands Absence/Presence Determination. Attorney Sexton stated that this had been submitted.

Engineer McKelvie said that a waiver had been requested for information relative to the existing storm drainage system on the adjacent properties. He stated that he does not object to this waiver for completeness, however should it become necessary under technical it would be required.

Chairperson Hamilton-Wood stated that the applicant is seeking waivers for political boundary lines, storm drainage system; detailed plan at a scale not to exceed 1" equals 30', a certified landscape architect for preparation of the landscape plan, and a waiver for showing existing lighting within 100'.

Attorney Sexton stated that this was correct and added that the Planner Hintz suggested that the applicant would need a variance for the lighting intensity. Attorney Sexton said that he thought that this would be a design waiver not a variance. Planner Hintz agreed that this would be a waiver.

Chairperson Hamilton-Wood asked if the Board had any questions on completeness. Mayor Muchowski asked about soil testing that was done. Engineer McKelvie stated that this was item 4 on page 5 of his report. This is a substantive issue and will be addressed during testimony.

Motion of Fratinardo, seconded by Stockhaus to deem the application complete.

Upon roll call the Board voted as follows:

YEAS:	Fratinardo, Muchowski, Napolitan, O'Hara, Smith, Stockhaus Hamilton-Wood
NOES:	None
ABSENT:	None

Chairperson Hamilton-Wood informed Attorney Sexton that the Board would be hearing testimony for the Preliminary approval only. The Board will not consider Final at this time.

Attorney Sexton called Jeffrey Rauch the applicant's engineer. Mr. Rauch was previously sworn. Mr. Rauch works for Feist Engineering. He stated that he has a degree in civil engineering from New Jersey Institute of Technology, is also a licensed professional engineer in the state of New Jersey and has given testimony throughout the state at numerous planning and zoning boards. Mr. Rauch was accepted as an expert.

Mayor Muchowski asked for clarification of the application. The application is for a subdivision and a site plan. He asked which of the 2 the testimony would be for. Solicitor Frank stated that the hearing on the Minor Subdivision is rather straightforward. Both items are in play. Mayor Muchowski asked if the Board could discuss the subdivision before they got into the merits of the Preliminary approval.

Mr. Rauch stated that the existing property is on the southwestern corner of Harkins Drive and Route 130 south. This is currently a vacant wooded lot. To the southwest is the Land-O-Lakes warehouse, to the northeast is Harkins Drive, to the south is Route 130 and to the north is a vehicle repair business. There is an existing railroad siding that comes from the north that comes up alongside the Land-O-Lakes warehouse. Mr. Rauch stated that the surrounding properties are commercial/light industrial uses. There are no adjoining or nearby residential uses.

The existing acreage of the existing lot is 5.28 acres. The proposal is to subdivide this into 2 lots. The lot labeled as 5.02A is 157,491 square feet. Lot 5.02B is 60,805 square feet. Both of these lots will be conforming for the lot area. Mr. Rauch stated that the applicant is proposing a recharge basin. The stormwater will be collected on-site through a storm collection system and brought to the northern end of Lot 5.02A where it has a sand bottom. The stormwater comes in and is recharged into the ground. There is a spillway for storms greater than the 100 year storm that flows out. The retention basin has been designed to be sufficient for both of the lots.

Mr. Rauch stated that they had 2 infiltration rates and had taken an average of the 2. Engineer McKelvie requested that they use the lower of the 2 rates. Mr. Rauch did a quick calculation and there is enough room to raise the basin for the 100 year storm 25 hundredths of a foot. Mayor Muchowski asked what 25 hundredths of a foot was. Mr. Rauch said about 3”.

Mayor Muchowski said that if it is being proposed that the basin service both sites should there be language in the approving resolution that indicates that the flow of drainage goes to the basin. Is it the role of the Planning Board to make sure that this language is in place? Attorney Sexton stated that the Board can impose reasonable general restrictions and he doesn't think that the applicant had a problem with this. Solicitor Frank stated that a condition of approval will be a cross easement for drainage and maintenance and repair of the basin.

Chairperson Hamilton-Wood asked if it would be appropriate to ask for a motion to approve the subdivision? Solicitor Frank stated that ordinarily it would be appropriate, but in this case the subdivision and site plan are so intertwined with the basin that he recommends that the Board keep in mind the testimony on the subdivision and pick it up again after the site plan testimony.

Attorney Sexton stated that he would like to continue with testimony from Mr. Rauch regarding the 2 memos from the Board's staff. He asked that the Board keep in mind that a lot of time has been spent with the Board's experts. The plans that were submitted were a direct result of the recommendations from the Board experts. There are 3 variances that relate to parking and there is the one lighting waiver.

Attorney Sexton suggested that they start on page 4 of Engineer McKelvie's letter.

Attorney Sexton stated that under the section headed Minor Subdivision Plan the applicant agrees with Items 1, 2, 3, and 4. On item 5 there is a mistake on the zoning table and the plans will be corrected.

Mr. Rauch stated that on page 5 under the heading of Major Site Plan. The applicant agrees with item 1 and will correct the plan. On item 2 the plan was developed in conjunction with the Board Professional's. He stated that there are 9' x 19" spaces in some areas and 9' x 18' in other areas. The drive aisles are 25'. A variance is requested for the size of the parking spaces.

Item 3 deals with the number of parking spaces. The plan proposed 87 spaces to be installed with 8 spaces to be banked along the southwesterly side of the retail stores. The parking will be angled in and a retaining wall will be installed along the property line in order to install the banked parking. Mr. Rauch stated that this plan with the banked parking was designed with the Board's Professional staff. Attorney Sexton stated that Mr. McKelvie in his report lists the option of relocating the loading areas. This would then provide parking adjacent to the drainage basin. Mr. Rauch said that there were 2 loading areas that were recessed in along side of the proposed detention basin. The suggestion was made to put the banked parking in the loading area and to bring the loading area up against the rear of the retail store. Mr. Rauch stated that he did not object to this proposal. Attorney Sexton stated that as far as the applicant is concerned either alternative is acceptable. Enginner McKelvie said that this was an alternative to consider. If the Board is happy with the 8 spaces up above the wall that would acceptable too.

Chairperson Hamilton-Wood said that she was concerned with the steepness of the angled spaces. Mr. Rauch said that even though the angle looks steep the car will be able to park in there without the rear of the car going past the curb line of the driveway.

Mayor Muchowski asked how the first car furthest to the left would pull out. Mr. Rauch stated that there is a 30' wide one-way drive aisle that would allow the cars to pull out. However they could slide this down towards the southerly banked spaces to give more room there.

Member O'Hara asked if this parking could be restricted to employees. Mr. Rauch stated that it could. Attorney Sexton stated that the applicant had no objection to restricting these to employee parking spaces.

Mayor Muchowski stated that on the Land-O-Lakes side where there is the slanted angled parking by the "No Parking Loading Zone" the aisle is only 15' at this point. Mr. Rauch stated that the loading zone is 15' wide and the drive aisle is 15'. Mayor Muchowski suggested pulling one of the "No Parking Loading Zones" that is back by the detention basin and lined it up against the building. You could get another 6 parking spaces because you could eliminate the U shaped island that delineates the loading zone from those 4 spaces. Chairperson Hamilton-Wood agreed that the parking needed to be re-worked. Mayor Muchowski stated that the 8 banked parking spaces should be moved

because people will not want to walk around the building to access the site. Mayor Muchowski stated that he would rather see the parking next to the detention basin.

Chairperson Hamilton-Wood asked what the intended use of the site was. Attorney Sexton stated that it would be any permitted retail use. Mayor Muchowski said that if a restaurant comes in it skews the parking. He asked if there was a proposal designating the percentage to be used as a restaurant. Attorney Sexton stated that the applicant would be glad to add an additional 8 spaces into the plan to alleviate some of the parking concerns.

Chairperson Hamilton-Wood stated that the Mayor is concerned that the type of use would skew the ordinance. Mayor Muchowski stated that if there were several restaurants this could skew the parking requirements. Attorney Sexton said that from a business standpoint you probably would not see 4 competing restaurants in a strip mall area. Chairperson Hamilton-Wood said that there could be Chinese, bagel, pizza and a deli in the same strip mall. This is a concern for the Board because once the tables go in the parking spaces add up.

Frank Scamporino Jr., who was sworn at the previous meeting, addressed the Board. Mr. Scamporino stated that restaurants generally were in much larger sites. He doesn't foresee anyone coming in with a 100 seat restaurant. There would probably be a dry cleaner, a Chinese food take-out, a pizza place with a few seats. He stated that you have to diversify. This is why you need a bank as an anchor. Then you need a dry cleaner, Chinese food place, etc. Mr. Scamporino stated that he had no objection with the Board limiting the number of seats for restaurant uses. Member O'Hara asked if Mr. Scamporino had a commitment from a bank for the pad site. Mr. Scamporino said that he was in negotiation with several financial institutions. Member O'Hara stated that his concern was that the pad site would be a "Wendy's" or fast food. Mr. Scamporino said that the site was too small it was only 2,000 square.

Member Smith stated that he was not pleased with the size of the parking spaces. The Township has an ordinance for parking spaces and the developers totally disregard this in order to jam as much into a spot as they can. Mr. Rauch said that he knows that the ordinance calls for 10' x 20' but it is not uncommon in shopping centers to see the 9' x 18' parking spaces. He did agree that it is easier to get in and out of the larger spaces, but there have been numerous traffic studies that show that this can be an acceptable design. Attorney Sexton said that Mr. Smith's comments were well taken. The applicant has tried to balance a number of competing interests. They want to provide open space, internal traffic flow and safety. They have met with the Board experts and adopted their suggestions.

Attorney Sexton asked if they could go back to Mr. Rauch's suggestion for the banked parking being turned into real parking. Chairperson Hamilton-Wood stated that what Mr. Rauch had suggested was not what the Mayor had suggested. Mayor Muchowski had proposed moving the loading zone closer to Harkins Drive. Mr. Rauch stated that they could do what the Mayor proposed. He stated that he may be able to make the spots 9' x

19'. Mayor Muchowski said that the need for the employee or long term parking is not as necessary as for the retailing public. Mayor Muchowski said that he hasn't ever seen a plan where the loading zone is separated by the drive lane from the building. He said that the loading zone should be closer to the building. Mayor Muchowski asked if there was a reason why the post and rail fence be separated and the parking spots back by the recharge basin. Mayor Muchowski suggested that if you move both loading spaces up against the building, push the roadway back and line the whole back with parking you are gaining the parking that you may need to service the employees. Mr. Rauch stated that he believes that this could work. Attorney Sexton stated that he was making a note to remove the banked parking, to move the loading in the rear adjacent to the building and to show additional parking adjacent to the recharge basin. Chairperson Hamilton-Wood stated that in her opinion this was a better option.

Attorney Sexton returned to Engineer McKelvie's report Item 4 on page 5 regarding the Phase I Environmental Site Assessment report. Mr. Rauch stated that the dumped material on the site was normal trash and some automotive debris (muffler, tires, etc.). There was no indication of any hazardous material being dumped. Attorney Sexton stated that the Board Engineer recommends additional soil sample and the applicant has agreed to supply additional soil samples.

Attorney Sexton stated that the stormwater basin had been addressed previously.

On Page 6 items 6, 7, 8, 9 and 10 the applicant will comply with these items.

Item 11 states that the basin slope may be too steep for maintenance vehicles to access the basin for repairs. Mr. Rauch said that they could increase the slope by Harkins Drive to allow access of maintenance vehicles. They will do some re-grading that will not affect the basin.

Mr. Rauch stated that they would comply with the NJ Barrier Free Subcode and the "Minimum As-Built Requirements."

Attorney Sexton stated that Item 14 addresses other approvals that are needed, for example: Florence Township Fire Official, Florence Township Water and Sewer, etc. He noted that review letters had come back from the Fire Official, Water and Sewer and the Police Department. Applications have been submitted to the Burlington County Planning Board and the Soil Conservation District.

Mr. Rauch stated that they had received the comments from the Florence Township Fire Official and Water and Sewer and the applicant has no problem and will comply with these comments.

Mr. Rauch stated that they will apply to NJDOT for an access permit and will be able to comply with any comments.

Engineer McKelvie stated that he was satisfied with the responses to his comments.

Attorney Sexton stated that he would like to move on to Planner Hintz's report dated July 12, 2006.

On page 3 Item 2 relates to the parking related variances and the applicant is requesting the variances as related earlier. Item 3 there is one existing billboard sign on the site that will be removed. The applicant is proposing 2 signs. A tenant sign is proposed to be approximately 80' from Route 130 and Harkins. Also towards the Rt. 130 access there will be a plaza sign with the name of the plaza. Member O'Hara asked if the financial institution would be listed on the free standing sign. Mr. Rauch stated that their name would be listed on the tenant sign. Chairperson Hamilton-Wood stated that she thought that there was no tenant sign on the plan. Mr. Scamporino stated that he had worked on several projects like this. He stated that generally banks like to have there own signs on the building and they come before the Board for approval.

Member O'Hara stated that he had seen pad sites where banks had a small monument sign on the highway. He suggested calling the site by the bank name for example "Citizen Bank Plaza".

Mr. Scamporino stated that there would be a tenant sign. Planner Hintz said that the ordinance permitted one free standing sign, but also states that in shopping centers containing more than one owner or tenant may have one additional free standing sign including the name of the shopping center but not listing the individual tenants or owners. Chairperson Hamilton-Wood stated that if they were going to do a tenant sign the Board would need the sign details. Mr. Rauch stated that the detail of the tenant sign was on sheet 14 of 18.

The sign has 15 spaces for the tenant names. The sign is 7' x 14'. This sign will be about 80' from Harkins Drive and 15' from the property line set back from Route 130. Mr. Scamporino stated that generally they put the plaza name on the tenant sign.

Planner Hintz said that they were asking for the tenant sign and one free standing sign. Member O'Hara asked if this sign detail was typical. Mr. Scamporino stated that it was. Member O'Hara said that the size of the sign was OK, but the amount of copy was too much. Mayor Muchowski said that most centers have just a few of the largest tenants listed. Member O'Hara said that if you limit it to 4 tenants it would be OK.

Attorney Sexton stated that they would be happy to reduce the number of tenants on the sign to 8. Member O'Hara stated that the name of the anchor and maybe 2 or 3 other tenants on the sign. Mr. Scamporino said that it was the same as if you were in doctor's park and there are 500 doctors names on the sign. The Board stated that the difference was that these cars are traveling at 50 mph or faster on Route 130, you would not be driving 50 miles an hour through the parking lot. Mr. Scamporino agreed to limit it to 4 tenants plus the name of the center.

Solicitor Frank stated that there would be one principal free standing sign 7' x 14' total height 21' with the name of the center and a maximum of 4 tenant names. There will be one additional free standing sign with the name of the center and entrance. Attorney Scamporino added that there would be façade signs on each business.

Mayor Muchowski asked about the secondary entrance from Route 130. Lanes 1 and 2 of the drive thru at the bank will be competing with the entrance lanes from Rt. 130. Mr. Scamporino stated that he had traffic engineers Horner and Cantor speaking with the NJDOT about this entrance.

Attorney Sexton returned to the Planner's review letter. Page 4 Items 1,2, and 3 are satisfied. Item 4 the spelling items on the plan will be corrected. Item 5 the lot designations will be corrected. Items 6, 7, and 8 were satisfied.

Page 5 Item 7 the driveway has been shifted to be more in line with the Amoco driveway. Member O'Hara stated that the entrance into the Amoco/BP was only an entrance. Mr. Rauch said that he saw cars exiting from this drive so he thought that it was ingress and egress. Mayor Muchowski asked Board Clerk Erlston to check the approval for the HAPCO driveway. Planner Hintz stated that the plans for HAPCO shows an entrance only from Harkins Drive.

Attorney Sexton stated that the Environmental Impact Statement was revised. Item 8 was satisfied.

Mr. Rauch stated that the walkway under the overhang will be revised so that there will be a minimum of 8' under the canopy.

Mr. Rauch stated that he had prepared a landscaping plan. He stated that under the State statute an engineer is permitted to permit landscaping plans. Mr. Rauch stated that if additional trees were needed for tree replacement they would be provided. Mr. Rauch agreed to revise the landscaping plan to replace sugar maples with an acceptable tree.

Mayor Muchowski suggested additional landscaping and or roadway adjustments in the area where the banked parking is being removed. Mr. Rauch stated that he would work with Planner Hintz to incorporate a variety of trees into the basin landscape buffer.

Attorney Sexton stated that the issue of signage had already been addressed.

Attorney Sexton asked Mr. Rauch to discuss the lighting plan, in particular the uniformity ratio. Mr. Rauch stated that they had a meeting with the lighting manufacturer who would be preparing the lighting for the site. The lights under the canopy were increasing the lighting ratios.

Mayor Muchowski asked for an explanation of the uniformity ratio. Mr. Rauch stated that the uniformity ratio within the ordinance was 10:1. There are some spots that will be brighter than others. The lighting is not uniform over the entire tract.

Mayor Muchowski stated that in his 6 years on the Planning Board he had never heard of an applicant exceeding the lighting ratio and asked for an explanation. Mr. Rauch stated that the lighting manufacturer wanted to light up the area to increase safety on the site. He stated that he could go back to the lighting manufacturer and could and work with them to make the lighting conform.

Planner Hintz stated that the applicant has proposed 18' high lights; usually lights are 14' high. Member O'Hara asked what the footcandle for the site was. He said that New Jersey has regulations requiring a certain amount of light for a bank with an ATM machine.

Planner Hintz said that overall they are meeting the ordinance but the uniformity ratio is off. He stated that the footcandles around the bank range from 1.8 to 2.3 or 2.4. Member O'Hara stated that he thought this was very high. Mayor Muchowski stated that he thought this was a resolvable issue. Attorney Sexton asked that a condition of approval be added that the Board's Planner be satisfied with the lighting.

Mr. Rauch stated that they would use the metal halide lights. He stated that he would provide the additional information that had been requested in items 3, 4, and 5.

Attorney Sexton stated that the comments in regards to parking had already been addressed. He stated that in regards to affordable housing, the applicant acknowledges that they have an obligation.

Chairperson Hamilton-Wood asked for a clarification of the parking. Attorney Sexton stated that all the parking would be shown none will be banked. Chairperson Hamilton-Wood stated that they still have to come up with the percentage of parking that would be allowed for restaurant use.

Attorney Sexton asked the Board for a vote on Preliminary with the understanding they would have to provide some further information for the parking at the time of Final. Chairperson Hamilton-Wood stated that she doesn't want to be held to a Preliminary that doesn't address the restaurant issue.

Mr. Scamporino asked if the Board knew what the number of seats was for the Mallard Creek site. This site is half the size of Mallard Creek.

Member Napolitan stated that there are only 94 spaces allowed and they can't exceed this. Mr. Rauch stated that there were 8 spaces required for the bank. That would leave 86 spaces to be divided by the remaining tenants on the site.

The Board had a discussion about the requirements for parking and possible restaurant spaces.

Mayor Muchowski stated that the Clerk of the Board suggested that she could get the approving resolution from the Mallard Creek approval to define the restaurant parking restrictions. The Board took a 5-minute break.

The Board returned to the discussion of the parking requirements. Member DeAngelis left the meeting during the break.

Attorney Sexton stated that during the break he had the opportunity to look at the approving resolution for the Mallard Creek development. This development was limited to 80 seats for restaurant use. Attorney Sexton suggested for purposes of Preliminary approval to limit the site to 40 seats for restaurant usage with the understanding that should they exceed this they would have to come back for site plan review.

Chairperson Hamilton-Wood stated that this seemed reasonable. Mayor Muchowski stated that this eliminated his concerns.

Solicitor Frank stated that this application was for Preliminary Major Site Plan approval. He stated that the Board had postponed the vote on the Minor Subdivision approval also. The only condition identified for the subdivision besides the usual outside agency approvals would be the cross easements for the drainage, maintenance, and repair of the basin.

For the Major Site Plan Preliminary approval conditions are that parking at the rear of the building will be for employees only, the applicant will provide all 94 required spaces, move the loading areas adjacent to the building and show additional parking adjacent to the recharge basin. There will be limitation for the entire strip center for 40 restaurant seats. In the event that they exceed this number the applicant will come back for revised site plan approval, the applicant must comply with all items in the Alaimo Engineer's letter of July 13, 2006. There will be change of slope at the north end of the retention basin to 10% to permit access of maintenance vehicles. A Presence/Absence letter from DEP must be submitted, the billboard must be removed from the site, there will be one free standing tenant sign with a maximum of 4 tenant names and the name of the center. The sign will be 7' x 14' and 21' high, there will be one free standing directional sign with the name of the plaza and an arrow at the southerly entrance 2' x 4' and façade signs in compliance with the ordinance for each tenant on the building. The applicant must comply with all items set forth in the letter from the Board's Planner dated July 12, 2006. The lighting plan will be addressed with the Board's Planner and Engineer to see that it conforms more closely to the ordinance standard, affordable housing obligation will be complied with. There will be traffic control between the bank drive through and the entering traffic of Route 130.

Motion of Fratinardo, seconded by Smith to open public hearing. Motion unanimously approved by all members present. Hearing no one wishing to testify motion was made by Fratinardo and seconded by O'Hara to close the public hearing. Motion unanimously approved by all members present.

Motion of Fratinardo, seconded by O'Hara to approve the Minor Subdivision with the conditions as set forth by Solicitor Frank.

Upon roll call the Board voted as follows:

YEAS: Fratinardo, Muchowski, Napolitan, O'Hara, Smith, Stockhaus,  
Hamilton-Wood  
NOES: None  
ABSENT: DeAngelis

Chairperson Hamilton-Wood asked for a motion for the Preliminary Major Site Plan approval. Mayor Muchowski asked who would be approving the changes in the traffic, roadway and buffering adjustments. As a condition of approval does this come back to the Board or does it only go through the Board's Professional Staff. Attorney Sexton stated that they would probably be proceeding with their Final approval application maybe at the next meeting. That means they would have to revise the plan and submit it back to the Board anyway. Chairperson Hamilton-Wood stated that the Board wants to retain the right to review and sign off on the Preliminary plans before they are signed off on.

Attorney Sexton stated that he was comfortable with submitting a revised Preliminary plan for the Board's approval and then the Final plan. Solicitor Frank suggested having the application continued until next month. The applicant can then have the Preliminary plan revised and if the Board is satisfied with the revised plan the applicant can get Preliminary and Final at the same time. Chairperson Hamilton-Wood stated that the Board would consider both Preliminary and Final since the bulk of the testimony had already been presented.

Mayor Muchowski stated that if the applicant met with the Board professional staff to revise the plan, then they should be ready to ask for both Preliminary and Final at the next meeting.

Attorney Sexton stated that a variance is requested for the size of the parking stalls.

Motion of Fratinardo, seconded by Stockhaus to continue the application until the August meeting.

Upon roll call the Board voted as follows:

YEAS: Fratinardo, Muchowski, Napolitan, O'Hara, Smith, Stockhaus,  
Hamilton-Wood  
NOES: None  
ABSENT: DeAngelis

Mayor Muchowski asked Solicitor Frank if the Florence Township Water and Sewer Director and the Fire Official were considered outside agencies. Solicitor Frank stated

that they were. Mayor Muchowski asked Solicitor Frank to be sure to include in the conditions that the applicant had agreed to comply with the reports for both the Water and Sewer and the Fire Official.

Chairperson Hamilton-Wood asked for Attorney Petkevis' tolerance to allow the Board to go out of order on the agenda. Attorney Sexton had application PB-2006-28 for HAPCO Petroleum. The resolution for this application had been tabled at the June 19, 2006 meeting. Chairperson Hamilton-Wood stated that it was her understanding that since then the applicant had met with the Board's Professionals and a site visit was conducted.

Attorney Sexton said that the applicant had come before the Board on a request for revision to the Final Site plan approval. There were a number of items that were outstanding. The Board directed the Township Engineer, Dan Guzzi to be involved. Engineer Guzzi conducted a site inspection and issued a letter dated June 27, 2006 indicating at that time there were still 3 outstanding items. Subsequently, there was a Professional meeting last week and as a result of the meeting Engineer Guzzi was satisfied.

Chairperson Hamilton-Wood stated that it was her understanding that revised plans should have been submitted to Engineer Guzzi on July 17, 2006. Attorney Sexton stated that he believed that the revised plans had been submitted but he was not sure that they had been. Member O'Hara stated that the Board had correspondence from Solicitor Abbott dated July 13, 2006 stating that "as all outstanding site plan issues appear to have been satisfied". Attorney Sexton stated that he had spoken to Solicitor Abbott after the meeting and she had related that Engineer Guzzi was satisfied and the matter would proceed to the meeting tonight with the purpose of approval of the resolution.

Chairperson Hamilton-Wood stated that the memo indicates that the approval was conditioned on the approval of the revised plans, but Attorney Sexton is not sure if the plans have been submitted. Mayor Muchowski asked if the resolution could be approved with the understanding that if the plans have not been received the Board could revisit the resolution. Attorney Sexton stated that he would call Engineer Guzzi's office in the morning and report to Solicitor Frank.

Mayor Muchowski stated that this would be a resolution binding upon documentation that all conditions were met, specifically with the submission of revised plans approved by Engineer Guzzi.

Resolution binding upon that plan revisions were submitted .

Motion of Muchowski, seconded by O'Hara to approve resolution PB-2006-28.

Upon roll call the Board voted as follows:

YEAS:           Fratinando, Muchowski, Napolitan, O'Hara, Smith, Stockhaus,  
                    Hamilton-Wood

NOES: None  
ABSENT: DeAngelis

Chairperson Hamilton-Wood returned to NEW BUSINESS and called for application PB#2006-17 for Fine Foods and Spirits, Inc. Applicant is requesting Final Major Site Plan approval for property located at 2120 Route 130 North, Block 165.01, Lot 11.02.

Edward Petkevis, attorney for the applicant stated that there are actually 2 applications pending before the Board. He said that at this time he would like to withdraw he correspondence designated PB#2006-17A. He stated that at the last meeting the Board had been hearing the application for PB#2006-14 for Preliminary and Final Major Site plan. Application PB#2006-14 at the last meeting had been deemed complete, the experts testified and the meeting was opened up to the public. Following the public portion there were some issues that were raised concerning the possibility of an oil tank on the property, a septic system, and drainage issues that looked like it might cause a lot of problems with the application that would cause it to drag on for many months and lead to the death of the project because the applicant's liquor license will expire in July 2007 with no hope of extension.

At the same time there was a previous application where Preliminary approval had been given which was PB#2006-17. This application was continued to the July meeting. Attorney Petkevis stated that he would like to seek Preliminary approval for PB#2006-14 which shows the entire use of the premises without any storage area. They would then move forward to Final approval next month. He stated that he believes that all issues have been addressed and it is a good plan. He said that he understands that there are some issues concerning water run-off from one of the adjoining landowners. The applicant's engineers have addressed the water run-off in their plans. Once the plan is implemented the water run-off will be addressed. The problem is being created is that the plan has not been acted on. So at this time he would like to move for Preliminary Major Site Plan approval for PB#2006-14.

Chairperson Hamilton-Wood said that she had to ask the Professionals if they were prepared to discuss application PB#2006-14. Attorney Petkevis stated that both the reports from the Professional's for PB#2006-14 and PB#2006-17 are identical. They address the same issues.

Solicitor Frank stated that he is coming into this in the middle and he is lost. He said that the Board is now discussing an application that has no storage and has a fully utilized bar. Chairperson Hamilton-Wood said that this would be a fully utilized facility. The building is an existing building. In one set of plans they would only be using a portion of the building and designating the other for storage. In the other set of plans they were utilizing the entire building as a restaurant and bar.

Mayor Muchowski asked if the statement made by Attorney Petkevis that the review letters for both applications were the same was a true statement. Planner Hintz said that this was a true statement.

Mayor Muchowski said that first they needed to do some bookkeeping, because a letter was received from the applicant's attorney requesting that application PB#2006-14 be dismissed. He stated that he never heard of an applicant having an A and B plan. Solicitor Frank stated that this is possible to do. He stated that the Preliminary approval that was given for the plan with the storage area was a vested right. This is an existing approval and is good for 3 years.

Attorney Petkevis stated that he is trying to get Preliminary approval of PB#2006-14 (with bar). If he can't get the approval then he will have to act on the Final approval for PB#2006-17 (with storage).

Chairperson Hamilton-Wood asked if the Board needed to act on the letter withdrawing the application. Solicitor Frank stated that Mr. Petkevis has told the Board on the record that he is withdrawing the letter of withdrawal. The Board requested that Attorney Petkevis provide a letter stating his intention to withdraw the letter requesting the withdrawal of application PB#2006-14.

Attorney Petkevis stated that at the last meeting the Board had heard all the expert testimony and the public comment. The issues that were outstanding have been addressed by submissions. Primarily the submission from Arecon, LTD. The oil testing facility that went out and looked for an underground oil tank and did not locate one. They also tested the area where the above ground tank was to determine if there had been an oil leak. The report that was provided to the Board indicates that this is not a site that needs any remediation at all.

Also there was an issue as to whether the septic system had been improperly inerted. Mr. Boghean contacted the individual from Burlington County who came out to inspect the site. He discovered that Mr. Boghean did have the demolition permit. He inspected how the tank was inerted and indicated that it was fine. Attorney Petkevis stated that he had provided the inspectors name and number and no further action was required.

Attorney Petkevis stated that these are not issues that would normally be concerns of the Planning Board except that members of the public brought up what were justifiable concerns. So the applicant wanted to be certain that these items were addressed.

Attorney Petkevis stated that he feels that based on what happened at the last meeting he feels that the hearing is at the point that they could ask for a vote.

Mayor Muchowski stated that Attorney Petkevis is indicating the public comment portion of the application was completed. Would the hearing be re-opened to the public? Solicitor Frank stated that public comment could be re-opened. He said that it is within the power of the Chair to make sure that there is not repetitive testimony.

Chairperson Hamilton-Wood said that she still had some questions. She asked if Solicitor Frank if he had the condition list from Solicitor Abbott from the June 19, 2006 meeting.

Solicitor Frank stated that the conditions were no packaged goods sales, metal halide lights, all deliveries during non-business hours. The Board questioned that the deliveries would be during non-business hours. Solicitor Frank said that maybe it was business hours.

Solicitor Frank continued with the conditions: lights turned off a maximum of one hour after closing time, curbing and drainage to be approved by Board Engineer, and installation of roof drain collection system.

Planner Hintz stated that the Board on Board fence appears to end at the front yard setback of 75'. The site plan has a note that says the fence will extend to the Rt. 130 right-of-way. He said that this note should be removed from the plan. Mayor Muchowski asked if there was landscaping going to the edge of the site triangle. Attorney Petkevis stated that the issue was not blocking the site triangle for cars leaving the site. He stated that they had agreed to move the fence back so that a variance was not required.

Raymond Worrell, engineer for the applicant was sworn in by Solicitor Frank. Mr. Worrell stated that he was a licensed professional surveyor, a professional planner and a professional engineer in the state of New Jersey. He has been qualified by many Planning Boards throughout the state. Solicitor Frank recommended Mr. Worrell as a qualified expert.

Mayor Muchowski stated that the reason for the Board on Board fence was to have the fence go as far up as possible. There will now be lights going head on into the neighboring residence. There has to be some kind of buffer. Planner Hintz stated that the ordinance says that you can't have a fence in the front yard setback. So they need either a variance or limit the fence to be back to the setback line.

Attorney Petkevis said that the line of site for the oncoming traffic would not be blocked by the fence. The traffic will be going the other way. Attorney Petkevis stated that if the Board preferred they would have the fence go up to the site triangle in order provide some privacy to the adjoining property owner. He stated that he did not think that this would create a traffic or safety issue. Chairperson Hamilton-Wood asked Engineer McKelvie if he agreed that this would not create a safety issue. Member O'Hara asked if this would impact the visibility of people exiting the adjoining property. Mayor Muchowski stated that there was a very specific conversation and it has to be noted somewhere. The Board consulted the minutes from the last meeting. Member Stockhaus read from the minutes of the June 16, 2006 meeting that Mayor Muchowski stated that the fence should be 35' from Route 130 so it does not interfere with the site triangle. Chairperson Hamilton-Wood stated that this would have to be a variance for the fence. Attorney Petkevis stated that he had noticed for the review of variances that were

previously addressed including buffers and screens (Section 91-91). Attorney Frank reviewed the notice and the ordinance. He advised Attorney Petkevis that Section 91-91 of the Florence Township ordinance does not reference the fence code and without a detailed analysis of the ordinances which are cited he is not sure that the ordinance covers it because Attorney Petkevis did not use the catch-all “any other variances or waivers that may be required”. Solicitor Frank stated that unfortunately the Board couldn’t grant a front yard fence variance because the notice doesn’t include this.

Mayor Muchowski stated that the Board is in a difficult position because no one was prepared to review this plan. Attorney Petkevis asked if the Board would consider continuing this until the next meeting at which time Attorney Petkevis will notice for Preliminary and Final approval. Chairperson Hamilton-Wood stated that she does not have a problem with that except the Board already has a full agenda at the August meeting. The Board is starting the August meeting at 6:00 P.M. to try to come to resolution with some of these applications. She stated that the Board will do their very best to go as late as they can to get this resolved. However the Board cannot make the promise to definitely hear both Preliminary and Final.

Member Napolitan asked that the members of the public be given the opportunity to comment on this application. Chairperson Hamilton-Wood stated that they would be given the opportunity.

Planner Hintz asked the applicant to correct one other item. The old architectural plan said that the square footage was 6,746. The new architectural plans say that the square footage is 6,488. This is not true and the architect should correct these plans prior to the next meeting. He also stated that the sign detail did not specify the total area of the sign but the dimension suggest that it could exceed the permitted maximum square feet. Attorney Petkevis stated that the square footage of the sign was 49.0726 but this will be added to the plans.

Engineer McKelvie said that a waiver is requested for curbing to alleviate the drainage. Engineer McKelvie stated that they had added the curb that was requested along the one side, but there is still an area where there is no curb. This would still be a waiver. The site drains from front to back.

Mr. Worrell said the existing conditions are that water drains onto the neighboring lot. The curbing will funnel the water into the inlet and pipes and direct it to the basin. There will be less run-off onto the adjoining property. He also stated that the curb stops had been removed and curbs had been added.

Attorney Petkevis stated that he would waive the time limit for Board action.

The Board discussed that placement of the fence. Planner Hintz stated that he did not think that there would be a site triangle issue. Attorney Petkevis said that it looked 35’ back would be the preferred location.

Motion of Smith, seconded by O'Hara to open for public comment. Motion unanimously approved by all members present.

Sophie Sklodowski, was still sworn from the last meeting. Ms. Sklodowski stated that she had been concerned about the placement of the fence. She was afraid that if the fence was too close to Rt. 130 people exiting her driveway would not be able to see, but by putting the fence back 35' the problem is solved.

Florence Township Fire Official, Kevin Mullen, asked if the applicant had reviewed his letter dated July 13, 2006. Attorney Petkevis stated that he would comply with the comments outlined in the letter.

Motion to close the public portion by, Smith, seconded by O'Hara to close the public portion. Motion unanimously approved by all members present.

Motion of O'Hara, seconded by Stockhaus to continue PB#2006-14 (without storage).

Upon roll call the Board voted as follows:

YEAS: Fratinardo, Muchowski, Napolitan, O'Hara, Smith, Stockhaus  
Hamilton-Wood

NOES: None

ABSENT: DeAngelis

Motion of Fratinardo, seconded by O'Hara to continue PB#2006-17 (with storage).

Attorney Petkevis agreed to extend the time limit for Board action.

Upon roll call the Board voted as follows:

YEAS: Fratinardo, Muchowski, Napolitan, O'Hara, Smith, Stockhaus,  
Hamilton-Wood

NOES: None

ABSENT: DeAngelis

Attorney Jonas Singer requested that the completeness hearing on application PB#2006-16 for Joseph Gallina be continued until the August meeting.

Motion of Fratinardo, seconded by Stockhaus to go into closed session. Motion unanimously approved by all members present.

The Board returned to the regular order of business.

Chairperson Hamilton-Wood stated that Mayor Muchowski had brought to the attention of the Board that the current Board Engineer, Alaimo Associates had resigned.

Mayor Muchowski stated that there was a conflict on the meeting night. Under the Pay-to-Play law at the request of the Planning Board the Municipality advertised appropriately for the position. The proposals had been received and opened today at 10:00 A.M. Mayor Muchowski stated that he was respectfully requesting that the Board appoint Dante Guzzi Engineering as the new Planning Board Engineer. This new appointment is predicated with the understanding that the current engineer will continue to review and professionally advise the Board on the applications that are deemed to be under his review by the professional staff within the Municipality. Effective immediately the Board will appoint Dan Guzzi as the Planning Board engineer and co-ordinate with the Professional staff and Administrative staff to make sure that the work load is appropriately dispersed and reviewed.

Solicitor Frank asked if there were any other proposals submitted. Mayor Muchowski stated that there was only one proposal submitted and it was opened by the Township Administrator. Member Napolitan asked where the request for bid was advertised. Mayor Muchowski stated that it was advertised in the Burlington County Times and there was a 10 day time for proposals to be received.

Member O'Hara stated for the record that Guzzi Engineering is the Town Engineer for the Mayor and Council so he had a good working knowledge of the Township.

Motion of Stockhaus, seconded by Smith to appoint Dan Guzzi as Planning Board Engineer. Motion unanimously approved by all members present.

Board Clerk Erlston was directed by the Board to notify Engineer Guzzi of his appointment and to work with Administrator Brook in coordinating the change of engineers.

There was no public in attendance.

Motion of O'Hara, seconded by Fratinardo to adjourn the meeting. Motion unanimously approved by all members present.

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John T. Smith, Secretary

JTS/ne